

Rec'd PCT/INT

25 JUL 2003

Docket No. 041618-60

#10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Ian Richard Joseph BATES

Serial No. 09/980,083

Filed: March 1, 2002

For: VEHICLE AIR BRAKING SYSTEMS

)

) Group Art Unit:

) Examiner:

) Confirmation No.

) Date: July 25, 2003

REQUEST FOR REINSTATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

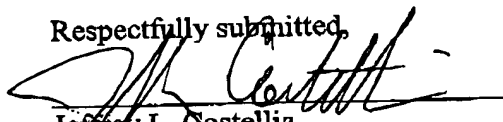
Sir:

Applicant hereby requests that the instant application be reinstated for **no fee** in view of an error on the part of the Patent Office.

The abandonment occurred as a result of the Patent Office incorrectly granting the *Request for Retaining Application Under 37 C.F.R. 1.31(l)* in favor of the above identified application, when, in fact, the *Request* was filed in the above application clearly identifying international application PCT/GB00/02125 upon which priority is claimed. The *Request* was not filed for the instant application. Applicant encloses herewith a copy of the Request for Retaining Application Under 37 C.F.R. 1.31(l) which was filed on December 2, 2002. If it is not possible to reinstate the international application (PCT/GB00/02125), it would be acceptable to merely ignore the prior request.

In view of the above, Applicant hereby requests that the above application Serial No. 09/980,083 be reinstated and that prosecution of the application continue in the ordinary course.

Respectfully submitted,


Jeffrey L. Costellia
Registration No. 35,483

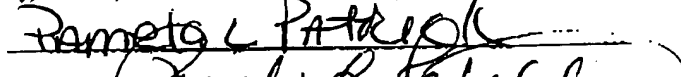

NIXON PEABODY LLP
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McLean, VA 22102
(703) 770-9300

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (Fax No. (703) 305-6459) on 7/25/03 (Date).

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Typed or printed name of person signing this certificate


Signature 

11 JUN 2003



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENT
UNITED STATES PATENT AND TRADEMARK OFFICE
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JUN 16 2003

In re Application of
IAN RICHARD JOSEPH BATES
Application No.: 09/980,083
PCT No.: PCT/GB00/02125
Int. Filing Date: 02 June 2000
Priority Date: 02 June 1999
Attorney's Docket No.: 041618-0060
For: VEHICLE AIR BRAKING SYSTEMS


DECISION ON

PETITION

This is a decision on applicant's request that the application be retained under 37 CFR 1.21(l) which is be treated as a request for processing and retention of application under 37 C.F.R. § 1.53(f). The request was filed in the United States Patent and Trademark Office (USPTO) on 02 December 2002, which requests that the application be retained in accordance with 37 CFR 1.53(f). The request is **GRANTED** as discussed below.

A review of the application file reveals that the oath or declaration executed by the named inventors in compliance with 37 CFR 1.497(a) and (b) identifying the international application number and international filing date is located therein. The review of the application file also reveals that applicant has submitted the requisite \$130 retention fee, and as such retention of the application is proper.

This application will be forwarded to the National Stage Processing Branch of the International Division for the placement of a retention label on the face of the application file in accordance with this decision. This application will then be forwarded to the abandoned files repository.


Cynthia M. Kratz
Attorney Advisor
PCT Legal Office

(703)306-5467

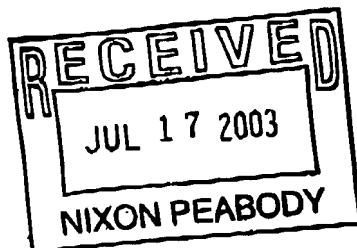


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U.S. APPLICATION NUMBER NO. 09/980,083	FIRST NAMED APPLICANT Ian Richard Joseph Bates	ATTY. DOCKET NO. 041618-0060
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INTERNATIONAL APPLICATION NO. PCT/GB00/02125	
IA. FILING DATE 06/02/2000	PRIORITY DATE 06/02/1999

CONFIRMATION NO. 9636

371
ABANDONMENT/TERMINATION
LETTER



OC000000010471228

Date Mailed: 07/10/2003

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant's letter of express abandonment received, is in compliance with CFR 1.138 and is hereby acknowledged.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

KAREN R MCLEAN

Telephone: (703) 308-9117

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)

*** RX REPORT ***

RECEPTION OK

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